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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**FREDRICK J. LEAVITT,**

**Defendant.**

**CASE NO: 2:17-CR-00391-APG-VCF**

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

It is hereby stipulated and agreed, by and between CHRISTOPHER CHIOU, Acting United States Attorney, through STEVEN W. MYHRE, Assistant United States Attorney, PATRICK BURNS, Trial Attorney – Department of Justice, Tax Division, and PAUL PADDAS, ESQ. and THOMAS PITARO, ESQ., counsel for Defendant FREDRICK J. LEAVITT, that the sentencing date in the above-captioned matter, previously scheduled for February 17, 2022, at 9:30 a.m., be vacated and continued until a time convenient to the

1 Court, but no sooner than March 22, 2022.

2 This Stipulation is entered into for the following reasons:

3 1. Sentencing in this matter is currently set for February 17, 2022, at 9:30 a.m.

4 2. The parties are requesting to move this sentencing hearing preferably to  
5 sometime after March 21, 2022.

6 3. Counsel have been informed that Defendant Leavitt's wife suffered multiple  
7 strokes last week and required hospitalization. She has subsequently been released and is  
8 recovering at home. In light of this situation, a continuance of the sentencing hearing would  
9 allow the defendant to focus on this family emergency and afford him more time to  
10 meaningfully and effectively prepare for his sentencing.

11 4. Co-counsel for the government is based in Washington, D.C., and will be  
12 present in the jurisdiction beginning March 11, 2022 to prepare for and try an unrelated case  
13 before this Court beginning on March 28, 2022. Counsel respectfully requests that the Court  
14 reschedule this matter to take place while he is present in the jurisdiction for that other matter.  
15 Counsel for Defendant Leavitt, Mr. Padda, will be traveling the week of March 14, 2022, thus  
16 the parties request that if the Court has such availability, it reset this sentencing hearing for  
17 the week of March 21, 2022, preferably sometime during the period of March 22-25, 2022.

18 5. The defendant is out of custody on this case. The defendant does not oppose  
19 this request.

20 6. Denial of this request could result in a miscarriage of justice, taking into  
21 account the exercise of due diligence.

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1           7.       This is the seventh request for a continuance filed in this matter.

2  
3 Dated this 2nd day of February, 2022

4                           CHRISTOPHER CHIOU  
5                           Acting United States Attorney

6                        //s//  
7 By: \_\_\_\_\_  
8           PAUL S. PADDA, ESQ.  
9           Counsel for Defendant LEAVITT

                          //s//  
By: \_\_\_\_\_  
STEVEN W. MYHRE  
Assistant United States Attorney  
PATRICK BURNS  
Trial Attorney – Tax Division  
United States Department of Justice

10                     //s//  
11 By: \_\_\_\_\_  
12           THOMAS F. PITARO, ESQ.  
13           Counsel for Defendant LEAVITT

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**  
**Plaintiff,**

**vs.**

**FREDRICK J. LEAVITT,**  
**Defendant.**

**CASE NO: 2:17-CR-00391-APG-VCF**

**ORDER ON STIPULATION TO  
CONTINUE SENTENCING HEARING**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Sentencing in this matter is currently set for February 17, 2022, at 9:30 a.m.

2. The parties are requesting to move this sentencing hearing preferably to sometime after March 21, 2022.

3. Counsel have been informed that Defendant Leavitt's wife suffered multiple strokes last week and required hospitalization. She has subsequently been released and is recovering at home. In light of this situation, a continuance of the sentencing hearing would allow the defendant to focus on this family emergency and afford him more time to meaningfully and effectively prepare for his sentencing.

4. Co-counsel for the government is based in Washington, D.C., and will be present in the jurisdiction beginning March 11, 2022 to prepare for and try an unrelated case before this Court beginning on March 28, 2022. Counsel respectfully requests that the Court reschedule this matter to take place while he is present in the jurisdiction for that other matter. Counsel for defendant Leavitt, Mr. Padda, will be traveling the week of March 14, 2022, thus the parties request that if the Court has such availability, it reset this sentencing hearing for the week of March 21, 2022, preferably sometime during the period of March 22-25, 2022.

